

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

ISAAC A. POTTER, JR.,

Plaintiff,

No. 3:16-cv-02090-SB

v.

ORDER

DARK HORSE COMICS, INC.,
MICHAEL RICHARDSON,
PAULINA GANUCHEAU, and
KEVIN PANETTA,

Defendants.

HERNÁNDEZ, District Judge:

Magistrate Judge Beckerman issued a Findings and Recommendation [52] on May 17, 2017, in which she recommends that this Court grant Defendants' Motion to Dismiss [31]. The matter is now before the Court pursuant to 28 U.S.C. § 636(b)(1)(B) and Federal Rule of Civil Procedure 72(b).

Plaintiff filed timely objections to the Magistrate Judge's Findings & Recommendation. Pl.'s Obj., ECF 55. When any party objects to any portion of the Magistrate Judge's Findings & Recommendation, the district court must make a *de novo* determination of that portion of the Magistrate Judge's report. 28 U.S.C. § 636(b)(1); *Dawson v. Marshall*, 561 F.3d 930, 932 (9th Cir. 2009); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc).

I have carefully considered Plaintiff's objections and conclude there is no basis to modify the Findings & Recommendation. I have also reviewed the pertinent portions of the record *de novo* and find no other errors in the Magistrate Judge's Findings & Recommendation.

CONCLUSION

The Court ADOPTS Magistrate Judge Beckerman's Findings and Recommendation [52]. The Court grants Defendants' Motion to Dismiss [31] without prejudice. If Plaintiff wishes to amend his complaint, he must do so within 14 days of this Order. Failure to timely amend, diligently prosecute this case, or follow court orders, will result in the dismissal of this proceeding with prejudice.

IT IS SO ORDERED.

DATED this 16 day of June, 2017.



MARCO A. HERNÁNDEZ
United States District Judge